

1 **R277. Education, Administration.**

2 **R277-403. Student Reading Proficiency and Notice to Parents.**

3 **R277-403-1. Definitions.**

4 A. "Board" means the Utah State Board of Education.

5 B. "LEA" means a Utah school district or charter school.

6 C. "Midpoint of the school year" means January 15 of each
7 school year unless an LEA identifies an alternative date as
8 the midpoint in a public board meeting no later than September
9 30 of each year.

10 D. "Notification to parents" for purposes of this rule
11 means notice by any reasonable means including electronic
12 notice, notice by telephone, written notice, or personal
13 notice.

14 E. "Reading below grade level" for the purposes of this
15 rule means that a student needs additional instruction beyond
16 that provided to all other students in order to close the gap
17 between their current level of reading achievement and that
18 expected of all students in that grade as determined by valid
19 and reliable assessment.

20 F. "Reading remediation interventions" means instruction
21 in reading given to students in addition to their regular
22 grade-level reading instruction, during another time in the
23 school day, outside school hours, or in the summer, which is
24 focused on specific need as identified by reliable and valid
25 assessments.

26 G. "USOE" means the Utah State Office of Education.

27 **R277-403-2. Authority and Purpose.**

28 A. This rule is authorized under Utah Constitutional
29 Article X, Section 3 which vests general control and
30 supervision over public education in the Board, by Section
31 53A-1-606.6(2) which directs the Board to make rules defining
32 reading levels for specific grades, and by Section 53A-1-
33 401(3) which allows the Board to make rules in accordance with
34 its responsibilities.

35 B. The purpose of this rule is to provide notice,
36 reporting standards and timelines for LEAs and to provide for

a report by the Board to the Education Interim Committee as required under Section 53A-1-606.6.

R277-403-3. LEA Responsibilities.

A. Before the midpoint of the school year, each LEA or school within an LEA, shall identify every student currently enrolled in the school who is in the first, second or third grade who is not reading at grade level.

B. Each LEA shall notify the parent/guardian of each identified student as determined by the LEA by the midpoint of the school year.

C. An LEA shall use at least two different assessment to identify students who are not reading at grade level.

D. Each LEA shall submit the names or types of assessments to the USOE that it will use to identify students who are not reading at grade level by September 30, 2010. LEAs need not submit additional assessment information annually unless they change their identified assessments.

E. The USOE may request information or documentation of the reliability and validity of identified assessment from LEAs. LEAs shall provide information upon request.

F. LEAs shall determine the grade level designation for each selected assessment; the USOE shall provide guidance to LEAs to assist in their designation of grade level for various assessments.

G. LEAs shall provide, as part of the S3 Report the following information:

(1) the number of students in each of grades 1, 2 and 3 that are reading below grade level; and

(2) the number of students in each grade level who were reading below grade level who received reading intervention.

R277-403-4. USOE Responsibilities.

A. The USOE shall provide guidance to LEAs about available and valid assessments to use in evaluating the reading grade level of students.

B. The USOE shall assist LEAs in determining expected

72 reading levels of first, second and third grade students.

73 C. The USOE shall report and provide data to the
74 Education Interim Committee consistent with Section 53A-1-
75 606.6(3).

76 **KEY: students, reading, proficiency**

77 **Date of Enactment or Last Substantive Amendment: 2010**

78 **Authorizing, and Implemented or Interpreted Law: Art X, Sec**
79 **3; 53A-1-606.6(2); 53A-1-401(3)**